

18. (New) An imaging device according to claim 17, wherein the optical member has a refractive index which is smaller than the refractive index of the lens.

19. (New) An imaging device according to claim 14, wherein the optical member has an outer circumferential surface formed so as to cause the incident light to be incident thereon in a direction normal to the outer circumferential surface.

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Cont
20. (New) An imaging device according to claim 14, wherein the optical member has a reflected light releasing face formed so as to cause the reflected light directed toward the imaging mechanism to be incident thereon in a direction normal to the reflected light releasing face.

REMARKS

Claims 1-20 are pending in the subject application. Claims 1, 2, 10, 11, and 13 stand rejected under 35 U.S.C. 102(e). Claims 3-6, 8, and 9 stand rejected under 35 U.S.C. 103(a). Claim 7 is objected to for depending from a rejected claim. Claims 1 and 6 have been amended. Claims 14-20 have been newly added.

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the following remarks.

35 U.S.C. § 102(e) REJECTIONS

The Examiner has rejected claims 1, 2, 10, 11, and 13 under 35 USC 102(e) as being anticipated by U.S. Patent Number 6,426,774 to Driscoll ("Driscoll" or the

"Driscoll Reference"). The Applicants respectfully traverse these rejections in view of the above amendments and for the reasons detailed below.

The invention as claimed discloses an imaging device in which an optical member 4 that is formed of a light-transmissive material is structured and arranged to be in contact with and holding a convex rotational mirror 3 and the imaging mechanism 8 to eliminate the hollow space between the mirror 3 and the optical member 4. See, e.g., Specification, page 10, lines 13-17. This configuration makes it possible to prevent diminution of the reflectance of light incident on the mirror 3 and to prevent noise, e.g., dust, moisture, etc., from degrading the quality of the image. See, e.g., Id., page 13, lines 9-16. Moreover, the present invention further comprises an imaging mechanism 8 that is disposed on the opposite side of the convex mirror 3 with the optical member 4 disposed therebetween. See, e.g., Id., page 18, lines 1-5; FIG. 1. Furthermore, the present invention also comprises an optical member 4 that includes a plane for releasing reflected light, which plane has a flat or curved surface projecting towards the convex mirror 3.

In contrast, the Driscoll reference discloses an optical member that only holds a mirror, providing additional structure to hold the imaging mechanism. The Driscoll reference also does not teach, mention or suggest a plane for releasing reflected light on an optical member 4. Therefore, it is respectfully submitted that, claims 1, 2, 10, 11, and 13 are not anticipated or made obvious by Driscoll and, further, satisfy the requirements of 35 U.S.C. 100 et seq., especially § 102(e). As such, the Applicants believe that the claims are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

35 U.S.C. § 103(a) REJECTIONS

The Examiner has rejected claims 3-6 under 35 USC 103(a) as being unpatentable over Driscoll in view of U.S. Patent Number 5,745,286 to Hawryluk

("Hawryluk" or the "Hawryluk Reference"); claims 8 and 9 under 35 USC 103(a) as being unpatentable over Driscoll; and claim 12 under 35 USC 103(a) as being unpatentable over Driscoll in view of U.S. Patent Number 6,169,637 to Tsunashima ("Tsunashima" or the "Tsunashima Reference"). The Applicants respectfully traverse these rejections for reasons detailed below.

Claims 8 and 9

For the reasons provided above and by the Examiner's admission, claim 1 as amended herein is not made obvious by the Driscoll reference and therefore all claims depending therefrom similarly are not made obvious. Thus, it is respectfully submitted that, claims 8 and 9 satisfy the requirements of 35 U.S.C. 100 et seq., especially § 103(a), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

Claims 3-6

For the reasons provided above and by the Examiner's admission, claim 1 as amended herein is not made obvious by the Driscoll reference and therefore all claims depending therefrom similarly are not made obvious. The Hawryluk reference for an aspheric optical element cannot make up for the deficiencies of the Driscoll reference. Thus, it is respectfully submitted that, claims 3-6 are not made obvious by Driscoll in view of Hawryluk and, further, satisfy the requirements of 35 U.S.C. 100 et seq., especially § 103(a). As such, the Applicants believe that the claims are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

Claim 12

For the reasons provided above and by the Examiner's admission, claim 1 as amended herein is not made obvious by the Driscoll reference and therefore all claims

depending therefrom similarly are not made obvious. The Tsunashima reference for an catadioptric lens cannot make up for the deficiencies of the Driscoll reference. Thus, it is respectfully submitted that, claim 12 is not made obvious by Driscoll in view of Tsunashima and, further, satisfies the requirements of 35 U.S.C. 100 et seq., especially § 103(a). As such, the Applicants believe that the claim is allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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**ANNEX TO RESPONSE TO OFFICE ACTION
CONTAINING AMENDMENT TO CLAIMS**

1. (Amended) An imaging device, comprising:
a convex mirror for reflecting incident light representing an object, the convex mirror having a shape of solid of revolution;
an imaging mechanism for taking an image represented by reflected light from the convex mirror; and
an optical member for guiding the incident light toward the convex mirror and guiding the reflected light toward the imaging mechanism, the optical member being in close-contact with and holding both of the convex mirror and the imaging mechanism disposed on the opposite side to the convex mirror with the optical member interposed therebetween.

6. (Amended) An imaging device according to claim 1, wherein the optical member has a plane for releasing the reflected light, and the plane has a flat surface or a curved surface projecting towards the convex mirror~~convex mirror is formed as a result of vapor deposition, sputtering or plating of a material having a mirror surface effect.~~